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<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))				<b>Docket No.</b> <b>LVIP:113US</b>	
In Re Application Of: Michael Zimmermann et al.					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/709,874	06/02/2004	N/A	24041	3724	3873
Title: <b>ERGONOMIC APPARATUS FOR CUTTING SPECIMENS</b>					
<p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p><b>37 CFR 1.97(b)</b></p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p><b>37 CFR 1.97(c)</b></p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p><b>OR</b></p> <p><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>					

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

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Examiner

N/A

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24041

Group Art Unit

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3873

Title: **ERGONOMIC APPARATUS FOR CUTTING SPECIMENS****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-0822 as described below.
- ☐ Charge the amount of \_\_\_\_\_
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- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****Certificate of Transmission by Facsimile\***

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

October 29, 2004

(Date)

Signature of Person Mailing Correspondence

S. Peter Konzel, Esq.

Typed or Printed Name of Person Mailing Certificate

**\*This certificate may only be used if paying by deposit account.**

Dated: October 29, 2004

Signature

S. Peter Konzel, Esq.  
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Williamsville, NY 14221-5406  
Telephone: 716-626-1564

cc:



**U.S. UTILITY PATENT APPLICATION  
ATTORNEY DOCKET NO. 10/709,874**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Matter of United States Patent Application:

Applicant(s): Michael Zimmermann, et al.

Examiner: N/A

Application No.: 10/709,874

Art Unit: 3724

Filed: June 2, 2004

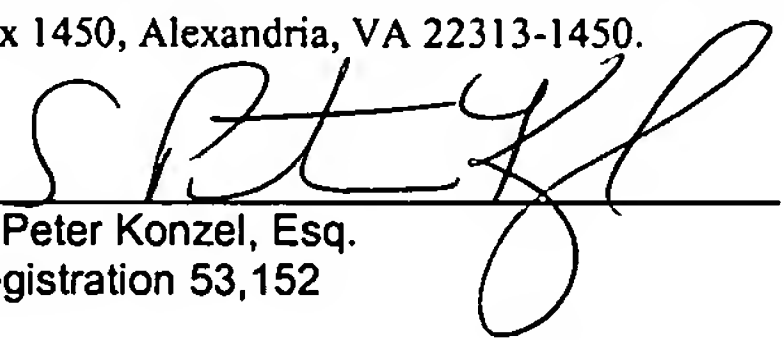
Customer No.: 24041

Confirmation No.: 3873

For: ERGONOMIC APPARATUS FOR  
CUTTING SPECIMENS

**Certificate of Mailing by First Class Mail**

I certify that this Information Disclosure Statement is being deposited on October 29, 2004 with sufficient postage with the U.S. Postal Service as first class mail under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

  
S. Peter Konzal, Esq.  
Registration 53,152

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:

This Information Disclosure Statement is submitted in compliance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98.

Record is attached of published art for consideration during prosecution of the above-identified patent application. No representation is made or intended that a search has been made or, if made, was complete, or that no more pertinent art than that listed is available. It is expected that the Patent and Trademark Office will conduct an independent search for relevant prior art.

Unless otherwise indicated, or unless references cited are U.S. patents or patent

application publications, a full text copy of the entire reference of published art is attached. Where specifically indicated, an equivalent English language patent or publication is attached in lieu of the translation.

An English language abstract is attached to DE 40 12 600 C2, DE 35 09 395 C1, and DE 41 11 689 A1 to provide a concise explanation as to the relevancy of each reference.

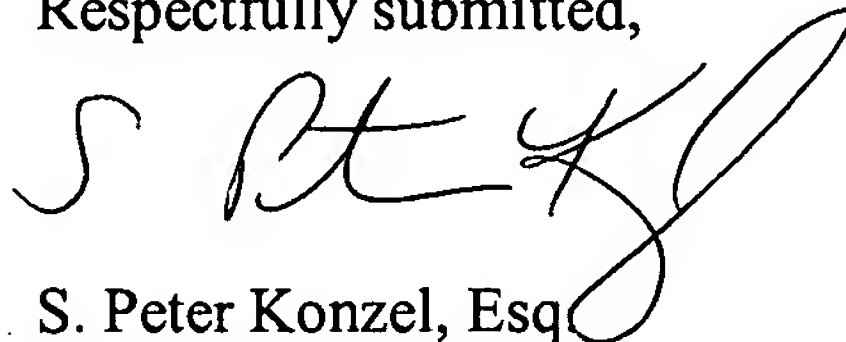
Also, according to 1.98(a)(3)(i), a concise explanation is listed below, as it is presently understood, of each foreign patent document not in the English language.

German Patent 21 40 796 B2, mentioned in the German Examination Report, discloses a cutting device for a microtome which has a receptacle for a microtome knife which can be mounted in a knife holder. The knife is configured as a disposable knife.

German Patent 1 739 235, mentioned in the German Examination Report, discloses an ultramicrotome which comprises a viewing device which is a stereomicroscope and an illumination device for illuminating a sample to be cut. The illumination device is arranged such that the light reflected from the surface of the collecting device is reflected to the viewing device.

In accordance with the Patent and Trademark Office Notice of August 15, 1980, also enclosed is a completed Form PTO-A820 (Form PTO-1449).

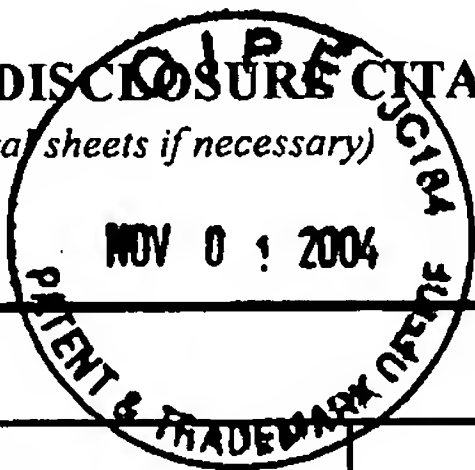
Respectfully submitted,



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Dated: October 29, 2004  
SPK/LAC  
Enclosures (10)

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)	Docket Number (Optional) <b>LVIP:113US</b>	Application Number <b>10/709,874</b>
	Applicant(s) <b>Michael Zimmermann, et al.</b>	
	Filing Date <b>06/02/2004</b>	Group Art Unit <b>3724</b>



## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		1 739 235	02/07/1957	DE				
		21 40 796	02/22/1973	DE				
		2 042 704	09/24/1980	GB				
		35 09 395	10/02/1986	DE				
		40 12 600	11/29/1990	DE				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		- RMC Products Boeckeler Instruments, Ultramicrotomes RMC, August, 1997, Tucson, Arizona, US - Leica Mikrosysteme GmbH, Reichert Ultracut S / FC S, Ultramikrotom und Tieftemperatur-Schneidesystem, Ultramicrotome and Deep Temperature Cutting, System, pp 4-5, June, 1991, Vienna, Austria
		- Leica Mikrosysteme GmbH, Reichert Supernova (Ultramicrotome), November 1990, Vienna, Austria - Leica Mikrosysteme GmbH, Leica UCT, The Flagship of Ultramicrotomy, October, 2001, Vienna, Austria

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY DOCKET NO. LVIP:113US	SERIAL NO. 10/709,874
	APPLICANT(S) Michael Zimmermann, et al.	
	FILING DATE 06/02/2004	GROUP 3724

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		41 11 689	10/17/1991	DE				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
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